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TO ALL DIPLOMATIC AND CONSULAR POSTS
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AMEMBASSY FREETOWN
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SECDEF WASHDC 0000
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TO DCM/PO AND CONSULAR SECTION CHIEF

E.O. 12958: N/A

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: JOHN S BLODGETT
DATE/CASE ID: 23 OCT 2006 200602966

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TAGS: KVPR, CVIS, PTER, ASEC, CMGT, PINR, PREL
SUBJECT: FIGHTING TERRORISM: VISAS VIPER PROCEDURES

REFS: (A) 00 STATE 042833, (B) STATE 083622

SUMMARY

1. THIS VISAS VIPER PROCEDURAL MESSAGE IS SENT IN LIGHT OF THE HEINOUS TERRORIST ATTACKS OF SEPTEMBER 11, 2001 ON THE WORLD TRADE CENTER AND PENTAGON. THE VISAS VIPER PROGRAM PROVIDES UNIQUE BENEFITS TO THE DEPARTMENT AND NATIONAL INTELLIGENCE AGENCIES. THE SUCCESS OR FAILURE OF THE VISAS VIPER PROGRAM IS IN PART DEPENDENT ON SUBMISSIONS FROM EMBASSIES AND CONSULATES AROUND THE WORLD. THIS CABLE SERVES AS A REMINDER OF THE PROGRAM'S IMPORTANCE AND IS A CALL TO CONTINUED VIGILANCE.

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2. THIS MESSAGE PROVIDES DETAILED GUIDANCE ON VISAS VIPER POLICY AND PROCEDURES. WHILE THERE ARE NO SUBSTANTIVE CHANGES FROM THE CURRENT GUIDANCE (REF A) A PROGRAM REMINDER WAS DEEMED NECESSARY AT THIS TIME. THESE INSTRUCTIONS SHOULD BE KEPT ON FILE FOR REFERENCE BY POST MANAGEMENT, VISAS VIPER COORDINATORS, AND OTHER APPROPRIATE OFFICERS.

3. POSTS ARE ASKED TO ENSURE THAT ALL MISSION SECTIONS AND AGENCIES ARE MADE AWARE OF THIS GUIDANCE, TO EXAMINE THEIR ADMINISTRATION OF THE VISAS VIPER PROGRAM IN LIGHT OF IT, AND TO TAKE WHATEVER STEPS ARE NEEDED TO RESOLVE ANY INCONSISTENCIES. NO REPORT TO THE DEPARTMENT IS REQUIRED ON THE RESULTS OF THIS INTERNAL REVIEW.

THE "VISAS VIPER" TERRORIST REPORTING PROGRAM:
BACKGROUND AND PURPOSE

4. THE VISAS VIPER PROGRAM ORIGINATED IN RESPONSE TO THE 1993 WORLD TRADE CENTER BOMBING AND OTHER THREATS AND INCIDENTS OF TERRORISM INVOLVING FOREIGN NATIONALS. AN INVESTIGATION INTO THE WTC BOMBING REVEALED DEFICIENCIES IN THE WAY AVAILABLE INFORMATION ON TERRORISTS WAS BEING SHARED AT OVERSEAS POSTS AND REPORTED TO THE DEPARTMENT. SPECIFICALLY LACKING WAS A MECHANISM FOR ROUTINELY AND CONSISTENTLY BRINGING SUSPECTED TERRORISTS TO THE CONSULAR SECTION'S ATTENTION FOR THE PURPOSE OF ENTERING THEIR NAMES INTO THE DEPARTMENT'S "CONSULAR LOOKOUT AND SUPPORT SYSTEM"

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(CLASS) AND THE INS/US CUSTOMS SERVICE'S "INTERAGENCY
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BORDER INSPECTION SYSTEM" (IBIS). THE VISAS VIPER PROGRAM
WAS CREATED TO ADDRESS THIS CONCERN. ITS MISSION IS TO:

- (1) UTILIZE THE COOPERATIVE RESOURCES OF ALL ELEMENTS OF
FOREIGN SERVICE POSTS TO IDENTIFY POTENTIAL TERRORISTS;
- (2) DEVELOP INFORMATION ON SUCH INDIVIDUALS;
- (3) PROVIDE A DIRECT CONSULAR CHANNEL FOR REPORTING THIS
INFORMATION; AND
- (4) WATCHLIST THE SUBJECTS IN CLASS AND IBIS TO ENSURE THEY
ARE APPROPRIATELY SCREENED SHOULD THEY LATER APPLY FOR
VISAS OR FOR ENTRY INTO THE UNITED STATES.

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SCOPE OF THE PROGRAM:
LIMITED TO NON-VISA APPLICANTS

6. THE VISAS VIPER PROGRAM IS INTENDED SOLELY FOR REPORTING
ON ALIENS WHO ARE NOT CURRENTLY APPLYING FOR U.S. VISAS.
VISA APPLICANTS WHO ARE SUSPECTED OF TERRORIST ACTIVITY
CONTINUE TO BE SUBJECT TO THE VISAS DONKEY OR VISAS BEAR
SECURITY ADVISORY OPINION REQUIREMENT (SEE PARAGRAPH 7
BELOW).

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LIMITED TO TERRORISTS

7. THE VIPER CHANNEL IS FURTHER LIMITED TO ALIENS WHO ARE KNOWN OR POTENTIAL TERRORISTS. IT SHOULD NOT BE USED TO REPORT ON NARCOTRAFFICKERS OR OTHER MALEFACTORS UNLESS THEY ARE ALSO SUSPECTED OF FALLING WITHIN THE PURVIEW OF INA 212(A)(3)(B). MEMBERS OF ORGANIZED CRIME GROUPS ORIGINATING IN THE INDEPENDENT STATES THAT ONCE COMPOSED THE SOVIET UNION AND IN THE BALTIC REPUBLICS SHOULD BE REPORTED THROUGH THE VISAS SHARK PROGRAM (SEE REF B). (NB: AN ALIEN WHO IS NOT A CURRENT VISA APPLICANT, BUT WHOM A CONSULAR OFFICER SUSPECTS OF INVOLVEMENT IN EXCLUSIONARY CRIMINAL OR NARCOTICS TRAFFICKING ACTIVITY, MAY BE ENTERED

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DIRECTLY INTO CLASS BY THE CONSULAR POST USING THE
APPROPRIATE QUASI REFUSAL CODE (SEE 9 FAM PART IV APPENDIX
D, EXHIBIT I)).

DISTINCTION BETWEEN "VISAS VIPER" AND "VISAS DONKEY/BEAR"

8. THE VISAS VIPER REPORTING PROGRAM COMPLEMENTS THE VISAS DONKEY AND VISAS BEAR SECURITY ADVISORY OPINION (SAO) PROCEDURES. VISAS VIPER TELEGRAMS REPORT ON POSSIBLE

TERRORISTS WHO ARE NOT CURRENT VISA APPLICANTS FOR THE PURPOSE OF WATCHLISTING THEM, WHILE VISAS DONKEY AND VISAS BEAR CABLES ARE USED TO REQUEST SAO'S ON SUCH INDIVIDUALS WHEN THEY APPLY FOR VISAS. POSTS MUST USE WHICHEVER PROCEDURE IS APPROPRIATE TO BRING ALL TERRORISTS ON WHOM THEY HAVE INFORMATION TO THE DEPARTMENT'S ATTENTION.

VVP ADMINISTRATION WITHIN THE DEPARTMENT

9. IN THE DEPARTMENT, THE VISAS VIPER PROGRAM IS AN INTEGRAL PART OF "TIPOFF", A PROGRAM ADMINISTERED BY THE BUREAU OF INTELLIGENCE AND RESEARCH (INR) THAT COORDINATES THE DEPARTMENT'S USE OF INTERAGENCY INTELLIGENCE FOR THE PURPOSE OF WATCHLISTING TERRORISTS. TIPOFF MAINTAINS A COUNTERTERRORISM DATABASE NOW NUMBERING OVER 64,000 NAMES, OF WHICH MORE THAN 22,000 WERE CONTRIBUTED THROUGH THE VISAS VIPER CHANNEL. THE TIPOFF/VIPER STAFF, IN CLOSE COOPERATION WITH THE VISA OFFICE'S COORDINATION DIVISION (CA/VO/L/C), DEVELOPS VISAS VIPER POLICIES AND PROCEDURES,

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CREATES AND UPDATES TIPOFF RECORDS, AND DETERMINES WHETHER
THE NAMES OF INDIVIDUAL SUSPECTED TERRORISTS ARE ENTERED
INTO CLASS AND IBIS [REDACTED]

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[REDACTED] IT PROVIDES FEEDBACK AND GUIDANCE
TO FOREIGN SERVICE POSTS ON VISAS VIPER REPORTING AND
SERVES AS LIAISON WITH INTERESTED OFFICES IN THE DEPARTMENT
AND WITH THE HEADQUARTERS OF OTHER GOVERNMENT AGENCIES ON
MATTERS RELATING TO THE PROGRAM. ALL COMMUNICATIONS TO THE
TIPOFF/VIPER STAFF SHOULD BE DIRECTED TO INR/TIPOFF.

DEPARTMENT'S VISAS VIPER COORDINATOR

10. THE DEPARTMENT'S VISAS VIPER COORDINATOR IS [REDACTED]
[REDACTED] IS LOCATED AT INR/TIPOFF, ROOM 6510,
DEPARTMENT OF STATE, WASHINGTON D.C. 20520. HIS NAME IS IN
THE DEPARTMENT'S CLASSIFIED AND UNCLASSIFIED E-MAIL
SYSTEMS. HE CAN BE REACHED TELEPHONICALLY AT [REDACTED]
AND HIS FAX NUMBERS ARE: [REDACTED]
[REDACTED]

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VVP ADMINISTRATION AT FOREIGN SERVICE POSTS

11. THE VVP IS PRIMARILY ADMINISTERED AT OVERSEAS POSTS
THROUGH A VISAS VIPER COMMITTEE ESTABLISHED AT EACH POST,
CHAIRIED BY THE DCM OR PRINCIPAL OFFICER AND COMPOSED OF
REPRESENTATIVES FROM APPROPRIATE POST ENTITIES. ALL
SECTIONS AND AGENCIES INVOLVED IN SECURITY, LAW
ENFORCEMENT, AND INTELLIGENCE ACTIVITIES ARE STRONGLY
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ENCOURAGED TO PARTICIPATE, AS SHOULD THOSE HAVING OFFICIAL
AND/OR PUBLIC CONTACTS WHICH MAY PRODUCE TERRORISM-RELATED
INFORMATION. THE VISAS VIPER COMMITTEES SHOULD MEET AT
LEAST QUARTERLY TO SHARE INFORMATION ON KNOWN OR SUSPECTED
TERRORISTS AND TO DETERMINE WHETHER SUCH INFORMATION MEETS
THE CRITERIA FOR VISAS VIPER REPORTING (SEE PARAGRAPH 17
BELOW). A REPORT SUMMARIZING THE RESULTS OF THE COMMITTEE
MEETING(S) HELD DURING EACH QUARTER, AS WELL AS OTHER POST
VVP ACTIVITY, IS REQUIRED IN ACCORDANCE WITH THE
INSTRUCTIONS IN PARAGRAPHS 14 THROUGH 16 BELOW. WHILE
VISAS VIPER COMMITTEE MEETINGS ARE THE PRINCIPAL FORUMS FOR
SHARING TERRORIST INTELLIGENCE AT POST, INFORMATION
DEVELOPED ON AN AD HOC BASIS, PARTICULARLY THAT OF AN
URGENT NATURE, MUST ALSO BE CONSIDERED FOR EXPEDITIOUS
REPORTING THROUGH THE VISAS VIPER CHANNEL.

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DESIGNATION OF POST VVP COORDINATORS

12. POSTS ARE STRONGLY ENCOURAGED TO DESIGNATE A VISAS VIPER COORDINATOR, NORMALLY THE CONSULAR SECTION CHIEF OR AN OFFICER RESPONSIBLE TO HIM OR HER, WHO WOULD SERVE THE FOLLOWING FUNCTIONS:

(1) LIAISON WITH OTHER SECTIONS AND AGENCIES (PROVIDE INFORMATION AND ADVICE ON VVP POLICIES AND PROCEDURES, ENSURE THAT STATE DEPARTMENT OFFICERS USE THE VISAS VIPER CHANNEL WHEN REPORTING ON TERRORISTS, AND PROMOTE AWARENESS AND UTILIZATION OF THE VIPER CHANNEL AMONG OTHER-AGENCY REPRESENTATIVES);

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(2) COORDINATION OF VIPER COMMITTEE MEETINGS (ASSIST THE DCM/PO IN SCHEDULING THE MANDATORY QUARTERLY MEETINGS AND ARRANGE APPROPRIATE STATE DEPARTMENT AND OTHER-AGENCY PARTICIPATION);

(3) OVERSIGHT OF VISAS VIPER REPORTING (PREPARE REQUIRED QUARTERLY REPORTS ON POST'S VVP ACTIVITIES AND MONITOR AD HOC REPORTING ON INDIVIDUAL TERRORISTS); AND

(4) LIAISON WITH THE DEPARTMENT (MAINTAIN CONTACT WITH THE DEPARTMENT'S VISAS VIPER COORDINATOR, SEEK GUIDANCE ON QUESTIONS REGARDING VVP ISSUES, AND RESPOND TO THE DEPARTMENT'S REQUESTS FOR INFORMATION ON VIPER CASES).

13. IT SHOULD BE NOTED THAT THIS IS AN EXCELLENT LEADERSHIP OPPORTUNITY FOR THE DESIGNATED OFFICER, PROVIDING RESPONSIBILITY FOR COORDINATING A VITAL ISSUE WITH ALL ELEMENTS OF THE MISSION.

QUARTERLY REPORTING REQUIREMENT:
MANDATE AND CONTENTS

14. POSTS ARE REQUIRED TO SUBMIT MANDATORY QUARTERLY REPORTS OUTLINING THEIR VISAS VIPER PROGRAM ACTIVITIES DURING EACH PERIOD. SUCH REPORTS SHOULD CONTAIN THE DATE(S) VVP COMMITTEE MEETINGS WERE HELD, THE NUMBER OF VIPER TELEGRAMS SUBMITTED, AND A BRIEF DISCUSSION OF ANY QUESTIONS OR COMMENTS THE POST MAY HAVE REGARDING THE

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PROGRAM'S POLICIES AND PROCEDURES. THESE MANDATORY REPORTS

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MUST BE SUBMITTED EVEN IF NO INFORMATION ON TERRORISTS WAS DEVELOPED DURING THE QUARTER. THE QUARTERLY REPORT REQUIREMENT WAS INSTITUTED UPON THE RECOMMENDATION OF THE INSPECTOR GENERAL TO IMPROVE THE PARTICIPATION OF FOREIGN SERVICE POSTS IN THE VISAS VIPER PROGRAM. THE OIG'S CLOSE ATTENTION TO THE VVP REFLECTS THE PROGRAM'S KEY ROLE IN THE DEPARTMENT'S COUNTERTERRORISM EFFORTS. THE VISAS VIPER STAFF ROUTINELY REPORTS TO THE OIG ON POSTS REPORTING STATUS.

QUARTERLY REPORT PROCEDURES

15. VVP FISCAL YEAR QUARTERLY REPORTS ARE DUE NO LATER THAN 15 DAYS FOLLOWING THE END OF EACH QUARTER, I.E., BY THE 15TH OF JANUARY, APRIL, JULY, AND OCTOBER. THE QUARTER REPORTED UPON SHOULD BE CLEARLY IDENTIFIED IN THE SUBJECT LINE: E.G. "VISAS VIPER: FY-01 2ND QUARTER REPORT". THE REPORTS SHOULD BE SLUGGED FOR INR/TIPOFF AND CA/VO/L/C AND USE THE FOLLOWING TAGS: KVPR, CVIS, CMGT, PINR, PTER, ASEC.

SUBMITTING QUARTERLY REPORTS FOR OTHER POSTS

16. THE DEPARTMENT IS AWARE THAT SOME POSTS ARE CONSULTING WITH AND SUBMITTING QUARTERLY REPORTS ON BEHALF OF CONSTITUENT AND/OR NON VISA-ISSUING POSTS WITHIN THEIR HOST COUNTRIES. IN SUCH CASES, THE REPORTING POSTS SHOULD BE CERTAIN TO INDICATE CLEARLY IN THEIR QUARTERLY REPORTS THE
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POSTS WITH WHICH THEY HAVE CONSULTED ON VISAS VIPER
ACTIVITIES AND ON WHOSE BEHALF THEY ARE REPORTING.

VISAS VIPER REPORTING CRITERIA

17. A VISAS VIPER CABLE MUST BE SUBMITTED IF:

(1) THERE IS REASON TO SUSPECT THAT AN INDIVIDUAL FALLS WITHIN THE PURVIEW OF INA 212 (A) (3) (B); AND

(2) THERE IS SUFFICIENT BIOGRAPHIC DATA TO POSITIVELY IDENTIFY THE SUBJECT OF THE INFORMATION.

18. THE PRIMARY GOAL OF THE VISAS VIPER PROGRAM IS TO DEVELOP HIGH-QUALITY, USABLE RECORDS ON POSSIBLE TERRORISTS, NOT MERELY TO COLLECT IMPRESSIVE STATISTICS. A VISAS VIPER TELEGRAM SHOULD THEREFORE ONLY BE SENT IF BOTH

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OF THE ABOVE CRITERIA ARE MET.

REASON TO SUSPECT TERRORIST ACTIVITY

19. THE INFORMATION PROVIDED IN A VISAS VIPER TELEGRAM MUST BE SUFFICIENT TO SUSTAIN A REASONABLE SUSPICION THAT THE INDIVIDUAL IS SUBJECT TO INA 212(A) (3) (B): I.E., THAT HE OR SHE:

(1) HAS ENGAGED, IS ENGAGED, OR IS LIKELY TO ENGAGE IN
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TERRORIST ACTIVITY AS DEFINED IN THAT SECTION;

(2) HAS INCITED TERRORIST ACTIVITY WITH INTENT TO CAUSE DEATH OR BODILY HARM; OR

(3) IS A KNOWING MEMBER OR A REPRESENTATIVE OF ONE OF THE 28 TERRORIST ORGANIZATIONS CURRENTLY DESIGNATED BY THE SECRETARY OF STATE PURSUANT TO SEC. 302 OF P.L. 104-132. A COMPLETE LIST OF THESE ORGANIZATIONS AND THEIR ALIASES WILL BE PROVIDED SEPTEL.

20. IT SHOULD BE NOTED THAT THE "REASONABLE SUSPICION" CRITERION FOR SUBMITTING VISAS VIPER CABLES REPRESENTS A LESSER STANDARD THAN THE "REASON TO BELIEVE" STANDARD REQUIRED TO SUPPORT VISA DENIAL UNDER INA 212(A) (3) (B). THE DEPARTMENT CONSIDERS THE "REASONABLE SUSPICION" CRITERION TO BE MET IF THE DEROGATORY INFORMATION CURRENTLY AVAILABLE WOULD WARRANT FURTHER DETAILED INQUIRY INTO THE SUBJECT'S BACKGROUND SHOULD HE OR SHE APPLY FOR A VISA. AN INDIVIDUAL'S ASSOCIATION WITH KNOWN OR SUSPECTED TERRORISTS OR TERRORIST GROUPS ALSO MEETS THE CRITERION IF SUCH ASSOCIATION SUGGESTS A PROSCRIBED MEMBERSHIP OR PERSONAL INVOLVEMENT IN TERRORIST ACTS.

IDENTIFICATION OF SUBJECT

21. IT IS ESSENTIAL TO DEVELOP AND REPORT ALL AVAILABLE IDENTIFYING DATA ON THE SUBJECTS OF VISAS VIPER TELEGRAMS. DEROGATORY INFORMATION ON A SUSPECTED TERRORIST, REGARDLESS
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OF ITS GRAVITY, IS OF LITTLE VALUE UNLESS IT CAN BE LINKED TO THAT INDIVIDUAL SHOULD HE OR SHE APPLY FOR A VISA OR FOR ENTRY INTO THE UNITED STATES. INSUFFICIENT BIOGRAPHIC DATA

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IN A GIVEN CASE CAN RESULT IN A FAILURE TO IDENTIFY A SERIOUS THREAT TO U.S. SECURITY. IT CAN ALSO PRODUCE "FALSE HITS" THAT COMPLICATE VISA ADJUDICATION AND CAUSE UNWARRANTED INCONVENIENCE TO BONA FIDE VISA APPLICANTS. FOR THESE REASONS, THE DEPARTMENT CAREFULLY WEIGHS THE ADEQUACY OF BIOGRAPHIC INFORMATION WHEN DETERMINING WHETHER TO CREATE TIPOFF RECORDS AND CLASS/IBIS ENTRIES ON THE SUBJECTS OF VISAS VIPER REPORTING. IT SHOULD BE NOTED, HOWEVER, THAT EVEN WHEN CLASS AND IBIS ENTRIES ARE NOT MADE BECAUSE OF INSUFFICIENT BIOGRAPHIC DATA, TIPOFF RECORDS ARE OFTEN CREATED ON THE SUBJECT IN CASE ADDITIONAL INFORMATION IS LATER DEVELOPED.

22. VISAS VIPER TELEGRAMS SHOULD IDEALLY PROVIDE FULL NAMES (INCLUDING ALIASES AND ALTERNATE SPELLINGS) AND DATES AND PLACES OF BIRTH. SINCE NAMING CONVENTIONS VARY BY COUNTRY AND REGION, THE SUBJECT'S SURNAME(S) MUST BE CLEARLY IDENTIFIED, EITHER BY LISTING IT/THEM FIRST, FOLLOWED BY A COMMA AND THE GIVEN NAME(S), OR BY PLACING THE SURNAME(S) IN PARENTHESES. IN CASES WHERE THE SUBJECT'S GIVEN NAME CAN BE EITHER MASCULINE OR FEMININE, THE SUBJECT'S GENDER SHOULD BE SPECIFIED.

23. IF AN INDIVIDUAL'S EXACT DATE AND PLACE OF BIRTH ARE NOT AVAILABLE, A REASONABLE ESTIMATE OF HIS OR HER AGE AND

THE KNOWN OR PROBABLE COUNTRY OF BIRTH SHOULD BE PROVIDED IF POSSIBLE. VISAS VIPER TELEGRAMS MAY BE SUBMITTED

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WITHOUT BIRTH DATA IF THE SUBJECT'S NAME IS NOT A COMMON ONE, AND IF THE POST IS ABLE TO PROVIDE OTHER IDENTIFYING INFORMATION. PERSONAL DETAILS SUCH AS PASSPORT DATA, PHYSICAL CHARACTERISTICS, EDUCATION, PROFESSION, RESIDENTIAL AND EMPLOYMENT HISTORY, AND THE NAMES OF FAMILY MEMBERS ARE OFTEN USEFUL IN ESTABLISHING IDENTITY. A SUBJECT'S AFFILIATION WITH A TERRORIST GROUP, AND HIS OR HER POSITION THEREIN, SHOULD ALWAYS BE REPORTED AS THIS INFORMATION IS PARTICULARLY VALUABLE FOR BOTH IDENTIFICATION AND THREAT ASSESSMENT PURPOSES.

24. PLEASE NOTE THAT A YEAR OF BIRTH, AT A MINIMUM, IS REQUIRED TO ENTER A SUBJECT'S NAME INTO THE INS/U.S. CUSTOMS SERVICE'S IBIS LOOKOUT SYSTEM. IT IS ESPECIALLY IMPORTANT TO KEEP THIS IN MIND WHEN REPORTING ON NATIONALS OF VISA WAIVER COUNTRIES SINCE THE ONLY SCREENING OF SUCH INDIVIDUALS IS THROUGH IBIS AT U.S. PORTS-OF-ENTRY.

PRIORITIZING AND EVALUATING TERRORIST INFORMATION:

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PRIORITIES FOR TERRORIST REPORTING

25. WHILE ALL SUSPECTED TERRORISTS MEETING THE VISAS VIPER CRITERIA MUST BE REPORTED, POSTS SHOULD KEEP IN MIND THE FOLLOWING PRIORITIES WHEN GATHERING AND EVALUATING TERRORIST INFORMATION. THESE PRIORITIES, RANKED IN DESCENDING ORDER OF THREAT, WERE DEVELOPED IN CONSULTATION WITH OTHER U.S. GOVERNMENT AGENCIES:

- (1) INDIVIDUALS WHO POSE OR MAY POSE A PRESENT THREAT TO
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U.S. INTERESTS IN THE UNITED STATES OR ABROAD;

- (2) INDIVIDUALS WHO ARE NOT NOW KNOWN TO POSE A PRESENT THREAT TO U.S. INTERESTS, BUT WHO HAVE DONE SO WITHIN THE PAST 15 YEARS; AND

- (3) INDIVIDUALS WHO POSE A PRESENT THREAT TO NON-U.S. INTERESTS, OR WHO DID SO WITHIN THE PAST TEN YEARS.

EVALUATION OF TERRORIST INFORMATION

26. THE FOLLOWING ARE AMONG MANY FACTORS THAT MUST BE CONSIDERED WHEN EVALUATING TERRORIST INFORMATION AND/OR ASSESSING ITS URGENCY:

- (1) THE IMMEDIACY AND SEVERITY OF THE THREAT POSED;
- (2) THE RELIABILITY OF THE INFORMATION;
- (3) WHETHER THE SUBJECT IS CLEARLY IDENTIFIED; AND
- (4) WHETHER ADDITIONAL INFORMATION COULD BE DEVELOPED WITHIN A REASONABLE TIME PERIOD TO FURTHER CLARIFY THE SITUATION OR BETTER IDENTIFY THE SUBJECT.

27. EVALUATING TERRORIST INFORMATION FOR THE PURPOSE OF SUBMITTING VISAS VIPER REPORTING REQUIRES FLEXIBILITY AND SUBJECTIVE JUDGMENT FOR WHICH THERE ARE NOT ALWAYS CLEAR GUIDELINES. THE DEPARTMENT BELIEVES THAT SUCH ASSESSMENTS ARE BEST MADE BY EACH POST'S VISAS VIPER COMMITTEE, WHICH
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HAS FIRST-HAND KNOWLEDGE OF THE HOST COUNTRY'S TERRORIST THREAT SITUATION. IF THE POST BELIEVES THE REPORTING CRITERIA OUTLINED IN PARAGRAPH 16 ABOVE HAVE BEEN MET, A VISAS VIPER TELEGRAM PROVIDING ALL KNOWN INFORMATION SHOULD

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BE SUBMITTED. THE DEPARTMENT ASSUMES RESPONSIBILITY FOR ACTION TAKEN ONCE INFORMATION ON POTENTIAL TERRORISTS IS REPORTED.

VISAS VIPER REPORTING CHANNEL

28. COUNTERTERRORISM REPORTING IS NOW, MORE THAN EVER, AN IMPORTANT FOREIGN POLICY FUNCTION REQUIRING THE COLLABORATIVE EFFORT OF ALL MEMBERS OF A POST'S COUNTRY TEAM. EXCEPT IN THE RARE INSTANCES WHERE THERE ARE SPECIAL OPERATIONAL CONCERNS, ALL STATE DEPARTMENT REPORTING ON TERRORISTS, INCLUDING DIPLOMATIC SECURITY (DS) REPORTING, MUST BE TRANSMITTED THROUGH THE VISAS VIPER CHANNEL. OTHER-AGENCY TERRORIST REPORTING MAY USE THE VIPER CHANNEL OR BE SENT THROUGH THE AGENCY'S TRADITIONAL REPORTING CHANNEL. REGARDLESS OF THE MEANS OF TRANSMISSION CHOSEN, IT IS ESSENTIAL TO ENSURE THAT SUSPECTED TERRORISTS ARE SCREENED FOR POSSIBLE INCLUSION IN THE CLASS AND IBIS LOOKOUT SYSTEMS.

DEPARTMENTAL REPORTING

29. THE VISAS VIPER CHANNEL OFFERS A DIRECT CONSULAR CONDUIT FOR WATCHLISTING KNOWN AND SUSPECTED TERRORISTS AND
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MUST BE USED FOR ALL DEPARTMENTAL REPORTING ON INDIVIDUALS WHO MEET THE VIPER PROGRAM'S SCOPE AND CRITERIA. INFORMATION ON TERRORISTS MAY ORIGINATE FROM A VARIETY OF SOURCES INCLUDING CONSULAR INTERVIEWS, MEDIA REPORTING, AND THE CONTACTS OF THE SECURITY OFFICER AND OTHER POST SECTIONS AND AGENCIES. THE FOREIGN BROADCAST INFORMATION SERVICE (FBIS), IF AVAILABLE AT POST, IS A VALUABLE RESOURCE. TERRORIST INFORMATION MAY BE DEVELOPED AND SHARED THROUGH EITHER THE POST'S INTERAGENCY VISAS VIPER COMMITTEE OR ON AN AD HOC BASIS. WHILE THE CONSULAR SECTION HAS RESPONSIBILITY FOR COORDINATING AND MONITORING VISAS VIPER REPORTING, OTHER DEPARTMENT SECTIONS ARE RESPONSIBLE FOR SHARING TERRORIST INFORMATION WITH THE CONSULAR SECTION, AND, IF DRAFTING REPORTS ON TERRORISTS, FOR ENSURING THAT SUCH REPORTING IS TRANSMITTED THROUGH THE VISAS VIPER CHANNEL. (FOR GUIDANCE ON PREPARING VISAS VIPER TELEGRAMS, SEE PARAGRAPHS 31 THROUGH 34 BELOW).

OTHER AGENCY REPORTING

30. THE VISAS VIPER CHANNEL IS INTENDED TO SUPPLEMENT, RATHER THAN SUPPLANT, PREVIOUSLY EXISTING CHANNELS USED BY

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OTHER AGENCIES FOR REPORTING ON FOREIGN TERRORISTS. OTHER AGENCIES MAY SHARE TERRORIST INFORMATION WITH THE POST'S VISAS VIPER COMMITTEE FOR TRANSMISSION TO THE DEPARTMENT THROUGH THE VIPER CHANNEL, OR MAY CHOOSE TO SEND IT DIRECTLY TO THEIR HEADQUARTERS. DATA TRANSMITTED THROUGH THE LATTER ROUTE IS USUALLY LATER PASSED TO THE DEPARTMENT FOR POSSIBLE CLASS AND IBIS ENTRY THROUGH THE TIPOFF

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PROGRAM. OTHER-AGENCY DRAFTERS CAN DIRECT TERRORIST REPORTING TO THE TIPOFF/VIPER STAFF'S ATTENTION, AND EXPEDITE ITS RECEIPT, BY INCLUDING THE PHRASE "RECOMMENDED FOR CONSIDERATION IN THE VISAS VIPER PROGRAM" IN THE TEXT OF THE OUTGOING MESSAGES. ORIGINATING AGENCIES MAY PREFER TO USE THEIR OWN REPORTING CHANNELS FOR A VARIETY OF REASONS, INCLUDING THE PROTECTION OF SOURCES AND ONGOING OPERATIONS. HOWEVER, ALL POST AGENCIES SHOULD BE MADE AWARE OF THE AVAILABILITY OF THE VISAS VIPER CHANNEL AS A DIRECT AND EXPEDITIOUS MEANS OF WATCHLISTING SUSPECTED TERRORISTS IN THE BORDER SECURITY LOOKOUT SYSTEMS (CLASS AND IBIS), AND SHOULD BE ENCOURAGED TO USE IT IN APPROPRIATE CIRCUMSTANCES.

VISAS VIPER REPORTING PROCEDURES:
REQUIREMENTS

31. THE DEPARTMENT'S OBJECTIVE IS TO FACILITATE VISAS VIPER REPORTING TO THE EXTENT POSSIBLE CONSISTENT WITH MEETING THE FOLLOWING REQUIREMENTS:

- (1) THAT ALL AVAILABLE IDENTIFYING AND DEROGATORY INFORMATION BE PROVIDED; AND
- (2) THAT THE REPORTS RECEIVE THE DISTRIBUTION NECESSARY FOR ALERTING INTERESTED AGENCIES AND FOR WATCHLISTING THE SUBJECTS.

PREPARING VIPER TELEGRAMS

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32. VISAS VIPER CABLES SHOULD BE SLUGGED FOR INR/TIPOFF AND CA/VO/L/C AND MUST BE ADDRESSED TO THE FOLLOWING AGENCIES: "SECSTATE WASHDC, DIRFBI//INTD/CTS//, INS/HQINT WASHDC, US CUSTOMS SERVICE WASHDC/INTEL". OTHER POSTS HAVING JURISDICTION OVER THE SUBJECT'S PLACE OF NATIONALITY OR RESIDENCE, OR OVER THE AREA IN WHICH THE SUBJECT, OR THE SUBJECT'S GROUP, HAS BEEN ACTIVE SHOULD NORMALLY BE

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INCLUDED AS INFO ADDRESSEES. THE VISAS VIPER CODE INDICATOR SHOULD APPEAR IN THE CAPTION LINE OF THE TELEGRAM, AND THE FOLLOWING TAGS SHOULD BE USED: KVPR, PTER, CVIS, PINR, ASEC, (COUNTRY TAG). VISAS VIPER TELEGRAMS SHOULD IDEALLY BE PREPARED IN ACCORDANCE WITH THE MODEL FORMAT PROVIDED IN 9 FAM PART IV APPENDIX E, SECTION 302, ALTHOUGH FLEXIBILITY IS PERMITTED (SEE PARAGRAPH 34 BELOW). AT POSTS' DISCRETION, MULTIPLE NAMES MAY BE SUBMITTED IN A SINGLE TELEGRAM. THE CABLE SHOULD PROVIDE ALL IDENTIFYING DATA AVAILABLE REGARDING THE SUBJECT(S) AS WELL AS A DETAILED RECITATION OF THE DEROGATORY INFORMATION KNOWN TO POST, INCLUDING THE IDENTIFICATION OF ANY TERRORIST GROUPS WITH WHICH THE SUBJECT MAY BE AFFILIATED. FINALLY, VISAS VIPER TELEGRAMS SHOULD INCLUDE AN EVALUATION OF THE CREDIBILITY AND APPLICABILITY OF THE INFORMATION SUBMITTED, A GENERAL DESCRIPTION OF THE SOURCE, AND AN ASSESSMENT OF THE SOURCE'S RELIABILITY.

CLASSIFICATION AND HANDLING

33. VISAS VIPER CABLES SHOULD, OF COURSE, BE CLASSIFIED AT UNCLASSIFIED

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AN APPROPRIATE LEVEL AND ASSIGNED APPROPRIATE TELEGRAPHIC PRECEDENCE. IN A CLASSIFIED VIPER TELEGRAM, THE PORTION CONTAINING THE SUBJECT'S NAME, DATE AND PLACE OF BIRTH, NATIONALITY, AND PASSPORT NUMBER SHOULD REMAIN UNCLASSIFIED SINCE THESE DATA ELEMENTS WILL LIKELY BE ENTERED INTO THE UNCLASSIFIED CLASS AND IBIS LOOKOUT SYSTEMS. ALL OTHER INFORMATION PROVIDED IS MAINTAINED BY THE DEPARTMENT AND PROTECTED ACCORDING TO ITS CLASSIFICATION. THE USE OF THE ROGER CHANNEL SHOULD BE AVOIDED WHEN SENDING VISAS VIPER CABLES, SINCE TELEGRAMS SO TRANSMITTED REQUIRE SPECIAL HANDLING THAT RESULTS IN PROCESSING DELAYS.

DUAL PURPOSE REPORTING

34. THE DEPARTMENT RECOGNIZES THAT COUNTERTERRORISM REPORTING, PARTICULARLY THAT INITIATED BY OTHER SECTIONS OR AGENCIES, OFTEN HAS PURPOSES OTHER THAN, OR IN ADDITION TO, WATCHLISTING THE INDIVIDUAL IN QUESTION. FOR THIS REASON, AND TO OBTAIN THE NEED FOR DUPLICATE REPORTING, POSTS ARE NOT REQUIRED TO PRECISELY FOLLOW THE MODEL FORMAT SHOWN IN 9 FAM PART IV APPENDIX E, SECTION 302. AS LONG AS THE TELEGRAM CONTAINS THE "KVPR" TAG AND THE "VISAS VIPER" CODE INDICATOR, INCLUDES THE ADDRESSEES LISTED IN PARAGRAPH 32 ABOVE, AND PROVIDES COMPLETE INFORMATION REGARDING THE

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SUSPECTED TERRORIST'S IDENTITY AND ACTIVITIES, IT WILL
RECEIVE APPROPRIATE DISTRIBUTION AND BE PROCESSED BY THE
TIPOFF/VIPER STAFF.

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WATCHLISTING TERRORISTS

35. THE SUBJECTS OF VISAS VIPER REPORTING WHO MEET THE
PROGRAM'S CRITERIA ARE ENTERED INTO TIPOFF'S
COUNTERTERRORISM DATABASE AND THEIR NAMES ARE INCLUDED IN
CLASS UNDER THE DPT-00 CODE. AS WITH ALL DPT-00 ENTRIES,
THE DEPARTMENT'S SECURITY ADVISORY OPINION IS REQUIRED
SHOULD A SUBJECT LATER APPLY FOR A VISA, AND NO VISA MAY BE
ISSUED UNTIL THE DEPARTMENT'S RESPONSE TO THE SAO REQUEST
IS RECEIVED. THE NAMES OF MOST INDIVIDUALS WHOSE DATES OF
BIRTH ARE KNOWN ARE ALSO ENTERED INTO THE INS/U.S. CUSTOMS
SERVICE'S IBIS LOOKOUT SYSTEM [REDACTED]

B2

[REDACTED] AS
INDICATED IN PARAGRAPH 24 ABOVE, AT LEAST THE SUBJECT'S

YEAR OF BIRTH IS NEEDED TO CREATE AN IBIS ENTRY, MAKING THE
PROVISION OF THIS INFORMATION PARTICULARLY IMPORTANT WHEN
SUBMITTING VIPER CABLES ON NATIONALS OF VISA WAIVER
COUNTRIES.

CLASS ENTRY BY POSTS IN CERTAIN CASES

36. WHEN A CONSULAR OFFICER BELIEVES THAT A SUSPECTED
TERRORIST SHOULD BE INCLUDED IN CLASS IMMEDIATELY, THE
CONSULAR OFFICER SHOULD ENTER THE SUBJECT'S NAME DIRECTLY
USING THE APPROPRIATE QUASI 212 (A) (3) (B) REFUSAL CODE (SEE
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9 FAM PART IV APPENDIX D, EXHIBIT I). CIRCUMSTANCES
REQUIRING SUCH ACTION INCLUDE, BUT ARE NOT LIMITED TO, A
CREDIBLE IMMINENT THREAT TO UNITED STATES INTERESTS OR AN
IMPENDING APPLICATION FOR A U.S. VISA BY THE SUBJECT. THE
CONSULAR OFFICER MUST THEN EXPEDITIOUSLY SUBMIT A VISAS
VIPER TELEGRAM, IN WHICH THE POST'S CLASS ENTRY SHOULD BE
REPORTED.

CONDUCTING CLASS CHECKS

37. PRIOR TO SUBMITTING A VISAS VIPER TELEGRAM ON A

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POTENTIAL TERRORIST, CONSULAR POSTS MUST CONDUCT A CLASS CHECK TO DETERMINE WHETHER THE SUBJECT WAS PREVIOUSLY INCLUDED AS A DPT-00 ENTRY OR UNDER ANOTHER CODE REQUIRING A SECURITY ADVISORY OPINION. THE VISAS VIPER TELEGRAM SHOULD BE SUBMITTED EVEN IF THE CLASS CHECK REVEALS A PREVIOUS ENTRY SINCE THE INFORMATION AVAILABLE TO POST IS LIKELY TO ADD TO THE SUBJECT'S EXISTING RECORD. THE RESULTS OF THE CLASS CHECK SHOULD BE REPORTED IN THE VIPER CABLE. ANY CLASS ENTRIES MUST BE FULLY CITED SO THAT THE SUBJECT MAY BE ACCURATELY IDENTIFIED AND HIS/HER RECORD EXPEDITIOUSLY LOCATED.

REMOVING VVP CLASS AND IBIS ENTRIES

38. RECOMMENDATIONS TO DELETE CLASS AND IBIS ENTRIES THAT WERE BASED UPON VISAS VIPER REPORTING SHOULD BE SUBMITTED
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TO THE DEPARTMENT SLUGGED FOR INR/TIPOFF AND CA/VO/L/C.
THE CABLE SHOULD CONTAIN THE "VISAS VIPER" CODE INDICATOR
AND THE "KVPR" TAG. JUSTIFICATION FOR THE DELETION REQUEST
MUST BE PROVIDED. CIRCUMSTANCES CREATING THE NEED FOR SUCH

A RECOMMENDATION MIGHT INCLUDE THE SUBJECT'S DEMISE OR THE DEVELOPMENT OF EVIDENCE THAT THE DEROGATORY INFORMATION AGAINST THE SUBJECT, PREVIOUSLY BELIEVED CREDIBLE, IS WITHOUT FOUNDATION.

DEPARTMENT FEEDBACK

39. THE DEPARTMENT WILL REPLY IN A TIMELY MANNER TO ALL VISAS VIPER COMMUNICATIONS WITH THE EXCEPTION OF ROUTINE QUARTERLY REPORTS. IN INDIVIDUAL CASES, THE DEPARTMENT WILL INFORM POSTS REGARDING THE WATCHLISTING OF THE SUBJECT(S) AND WILL ADVISE IF ADDITIONAL INFORMATION IS NEEDED. POSTS' INQUIRIES REGARDING VISAS VIPER POLICIES AND PROCEDURES WILL ALSO RECEIVE THE DEPARTMENT'S PROMPT ATTENTION. THE DEPARTMENT WILL MAKE EVERY EFFORT TO PROVIDE COMPREHENSIVE GUIDANCE AND FEEDBACK ON VISAS VIPER MATTERS AND TO FORM A TRUE PARTNERSHIP WITH FOREIGN SERVICE POSTS IN FULFILLING THIS CRUCIAL COUNTERTERRORISM RESPONSIBILITY.

40. MINIMIZE CONSIDERED.
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